

JUN 27 2023

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

CLERK OF COURT
JUN 27 2023

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CRIMINAL NO. <u>22-CR-1561-MIS</u>
)	
vs.)	Count 1: 18 U.S.C. § 2422(b): Coercion and
)	Enticement;
MICHAEL RIVERA,)	
)	Counts 2-3: 18 U.S.C. §§ 2251(a), 2251(e) and
Defendant.)	2256: Production of a Visual Depiction of a
)	Minor Engaging in Sexually Explicit Conduct.

SUPERSEDING INDICTMENT

The Grand Jury charges:

Count 1

From on or about November 18, 2021, and continuing to on or about December 13, 2021, in Grant County, in the District of New Mexico, the defendant, **MICHAEL RIVERA**, using any facility of interstate and foreign commerce, knowingly persuaded, induced, enticed and coerced, any individual who had not attained the age of 18 years to engage in any sexual activity for which any person could be charged with a criminal offense.

In violation of 18 U.S.C. § 2422(b).

Count 2

From on or about December 4, 2021, and continuing to on or about December 5, 2021, in Grant County, in the District of New Mexico, the defendant, **MICHAEL RIVERA**, used, persuaded, induced, enticed and coerced a minor under 18 years of age, Jane Doe, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, knowing and having reason to know that such visual depiction would be transported using any means and facility of interstate and foreign commerce, and using materials that had been mailed,

shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of 18 U.S.C. §§ 2251(a), 2251(e) and 2256.

Count 3

On or about December 13, 2021, in Grant County, in the District of New Mexico, the defendant, **MICHAEL RIVERA**, used, persuaded, induced, enticed and coerced a minor under 18 years of age, Jane Doe, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, knowing and having reason to know that such visual depiction would be transported using any means and facility of interstate and foreign commerce, and using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of 18 U.S.C. §§ 2251(a), 2251(e) and 2256.

FORFEITURE ALLEGATION

Upon conviction of any offense in violation of 18 U.S.C. § 2251, the defendant, **MICHAEL RIVERA**, shall forfeit to the United States, pursuant to 18 U.S.C. § 2253: any matter containing visual depictions produced, transported, mailed, shipped, or received in violation of Chapter 110, of United States Code Title 18; any property, real or personal, constituting or traceable to gross profits, or other proceeds obtained from such offense; and any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property.

The property to be forfeited includes, but is not limited to, the following:

(1) Apple iPhone Model A1661, IMEI# 358642090292514.

Upon conviction of any offense in violation of 18 U.S.C. § 2422, the defendant, **MICHAEL RIVERA**, shall forfeit to the United States, pursuant to 18 U.S.C. § 2428: any

property, real or personal, used or intended to be used to commit or to facilitate the commission of such violation; and any property, real or personal, constituting or derived from any proceeds the defendant obtained, directly or indirectly, as a result of such violation.

The property to be forfeited includes, but is not limited to, the following:

(1) Apple iPhone Model A1661, IMEI# 358642090292514.

A TRUE BILL:

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FOREPERSON OF THE GRAND JURY


Assistant United States Attorney